

#### REMARKS

Re-examination and favorable reconsideration in light of the above amendment and the following comments are respectfully requested.

Claims 1 - 16 are currently pending in the application. No claim has been allowed. By the present amendment, claim 16 has been amended to clarify the subject matter being claimed and new claim 17 has been added to the application.

In the office action mailed February 3, 2003, claims 1, 10, and 11 were rejected under 35 U.S.C. 102(e) over U.S. Patent No. 6,235,385 to Lee; claims 2 - 9 and 12 - 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over the Lee patent; and claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,582,772 to Hammer.

The foregoing rejections are respectfully traversed by the present response.

With respect to the rejection of claims 1, 10, and 11 on anticipation grounds, the Lee patent relates to an electrically conductive adhesive tape for electrical and electronic products to bond or fix an element to a support. Thus, Lee is not directed to a compliant laminar eddy current sensitivity standard. Further, the Lee tape

includes a resin film, a conductive metal deposited over the surface of the resin film, and a conductive adhesive layer coated over the metal layer. Lee does not teach or suggest "at least one strand of highly conductive material embedded (emphasis added) in said sheet." For these reasons, claims 1, 10, and 11 are allowable.

With regard to claims 2 - 9 and 12 - 15, these claims are allowable for the same reasons as claim 1 as well as on their own accord. The obviousness rejection made by the Examiner is duly noted; however, the Examiner has failed to make out a *prima facie* of obviousness. First, the Examiner has not established that any of the subject matter of these claims was within the skill of one of ordinary skill in the art at the time the invention was made. Second, the Examiner has not set forth any reasons why one of ordinary skill in the art allegedly having this knowledge would be motivated to make any modifications to the Lee structure or why such modifications would in fact be obvious. The mere fact that something may be known in the prior art is insufficient in and by itself to form the basis for an obviousness rejection.

With regard to the rejection of claim 16, this claim is allowable over the Hammer patent. The Hammer patent is directed to a method where a plurality of slugs is

adhesively joined to a workpiece, such as a pipe, to be tested. Hammer does not discuss the construction of each slug other than to say that it should be of essentially the same material and have had the same treatment as the workpiece or pieces to be tested. See column 5, lines 6 - 11 of Hammer. It is submitted that Hammer does not teach or suggest the steps of providing an individual sensitivity standard sheet comprising a conductive nonconductive, nonmagnetic material having a first exterior planar surface, at least one strand of highly conductive material embedded in the sheet and an adhesive layer affixed to a second surface of the nonconductive material, and adhering the standard to the surface of the part to be inspected.

New claim 17 is allowable for the same reason as claim 1. It is further allowable because Lee does not teach or suggest having at least one strand which is narrower than the sheet material.

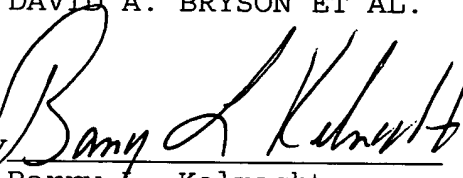
For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, he is invited to contact Applicants' attorney at the telephone number listed below.

No fee is believed to be due as a result of this response. Should the Commissioner determine that a fee is due, he is hereby authorized to charge said fee to Deposit Account No. 21-0279.

Respectfully submitted,

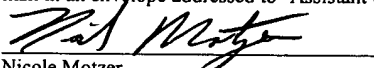
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Date: April 28, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on April 28, 2003.

  
Nicole Motzer

MARKED UP VERSION OF CLAIM 16

16. (Amended) A method of using a compliant laminar eddy current sensitivity standard comprising the steps of:

providing an individual sensitivity standard comprising a sheet of nonconductive, nonmagnetic material having a first exterior planar surface, at least one strand of highly conductive material embedded in the sheet and an adhesive layer affixed to a second surface of the nonconductive, nonmagnetic material;

adhering said individual sensitivity standard to a surface of said part to be inspected; and

passing an eddy current probe over said first exterior surface of said individual sensitivity standard.